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JUL 2 8 2008

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**DATE:** July 28, 2008

Application No: 10/586,264

Our Ref: 7865-290 MIS:jb

TO:	FAX#	PHONE #
US Patent and Trademarks Office  Mail Stop <u>Amendment</u>	(571) 273-8300	

Total Number of Pages (Including This Page): \_\_3\_

FROM: Michael J. Stewart / 416-849-8400

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PTO/SB/21 (01-08) Approved for use through 01/31/2008. OMB 0651-0031 U.S. Patont and Trademark Office, U.S. DEPARTMENT OF COMMERCE Under the Papenvork Reduction Act of 1995, no parsons are required to respond to a collection of information unloss it displays a valid OMB control number. Application Number 10/586,264 Filing Date TRANSMITTAL May 22, 2007 MEULIVE First Named Inventor CENTRAL FAX CENTER **FORM** Martin Schweizer Art Unit 1866 <del>JUL 2 8 2008</del> Examiner Name Qluwen Mi (to be used for all correspondence after initial filling) Attorney Docket Number 7885-290 MIS:jb Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers of Appeals and Interferences Fee Atlached Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) 1 Petition Amendment/Reply Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Change of Correspondence Address Affidavits/declaration(s) Other Enclosure(s) (please Identify Terminal Disclaimer Extension of Time Request below): Request for Refund Express Abandonment Request CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Nama Sim & McBurney Signature Printed name Michael I. Stewart Reg. No. Date 24.973 July 28, 2008 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facstmile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature Date July 28, 2008 Michael I. Stewart Typed or printed name

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# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl'n. No. :

10/586,264

Confirmation No.: 2820

1<sup>st</sup> Applicant:

Martin Schweizer

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Filed

May 22, 2007

JUL 2 8 2008

Title :

NOVEL CANOLA PROTEIN ISOLATE

TC./A.U.

1655

Examiner

Qiuwen Mi

Docket No.

7865-290 MIS/jb

Customer No.:

24223

Date

July 28, 2008

BY FACSIMILE

571-273-8300

Mail Stop **Amendment**Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
U.S.A.

#### **RESPONSE**

Sir:

This Communication is in response to the Office Action of July 3, 2008.

In the Office Action, the Examiner required restriction as between the claims of Group I, namely claims 1 to 7 and 27 to 30 and Group II, namely claims 8 to 26. The applicants hereby elect the claims of Group II, namely claims 8 to 26 for prosecution at the present time.

The Examiner may wish to note the existence of copending Applications Nos. 11/038,086, which claims priority from the same US Provisional filing, and 11/272,705, divided therefrom.

Respectfully submitted,

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